

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CURTIS M. COLLINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-739-SLR
	)	
WARDEN RICK KEARNEY,	)	
SGT. JAMES, CHANDLER,	)	
C/O BEREZANSKY, C/O MILLIGAN,	)	
C/O DAISEY, C/O IRVIN JOHNSON,	)	
NURSE HELEN WHITLEY, and	)	
DR. ROBERTA BURNS,	)	
	)	
Defendants.	)	

**ORDER**

At Wilmington this 18th day of July, 2007, for the reasons set forth in the memorandum opinion issued this date;

IT IS HEREBY ORDERED that State defendants' motion for summary judgment (D.I. 76) is **granted** in part and **denied** in part as follows:

1. Summary judgment is granted as to defendants Warden Rick Kearney, C/O Milligan, and C/O Irvin Johnson and they are dismissed from the case. The clerk of the court is directed to enter judgment at the close of this case on behalf of defendants Warden Rick Kearney, C/O Milligan, and C/O Irvin Johnson, and against plaintiff Curtis M. Collins.

2. The motion for summary judgment is granted in favor of State defendants on the medical needs issue and Eleventh Amendment immunity issue.

3. The motion for summary judgment is denied as to defendants Berezensky, Daisey, and Chandler.

  
UNITED STATES DISTRICT JUDGE